

SANDESH D. JADHAV, B.Com; LL.B
(Advocate High Court)

40 / 23, NAVJIVAN NAGAR
TAGORE NAGAR, GROUP NO. 3
VIKHROLI (E), MUMBAI – 400 083
Tel No. 9702539842, 9594791703
Email: advsandesh.jadhav@gmail.com

To,

Maha RERA, Mumbai,

Maharashtra.

FORMAT -A

(Circular No: - 28/2021)

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to Plot of Land bearing Survey No. **113(Part)**, C.T.S. No. **356(Part)**, admeasuring area about **1058.04 Sq. Mtrs.** (Lease area **530.98 Sq. Mtrs.** plus tit bit land area **527.06 Sq. Mtrs.**) Situated at Building No. **81, Kannamwar Nagar Adishakti C H S Ltd; Kannamwar Nagar, Vikhroli – (East), Mumbai – 400083** of Village – Hariyali, Taluka - Kurla hereinafter referred as **“the Said Plot”** along with a Building of Ground + 3 Floors standing thereon hereinafter referred to as **“the Said building”** and both together, the said Plot and the said Building together hereinafter referred to as **“the Said Property”**.

I have investigated the title of the said property on the request of Developer, **M/s. ADITYARAJ BUILDERS AND PROMOTERS** and also perused the documents related to the said Property provided to me and I hereby provide my opinion as under –

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1. MHADA in pursuance of Scheme introduced by Government constructed building No. **81** consisting of **32** residential tenements each having a carpet area of **217.00 Sq. Feet** carpet area i.e. **20.22 Sq. Meters** Carpet area or thereabouts on the said Plot for housing purpose as provided in the said scheme.
2. All the individual tenants of said **32** tenements formed a co-operative Housing society viz. **"KANNAMWAR NAGAR ADISHAKTI C H S LTD;"** Consisting of said **32** members under Registration Number No. **MUM/MHADB/HSG/(TC)/12525/2005** dated **25th May, 2005**.
3. By the Deed of Sale executed between MHADA and society dated **28th September, 2021** Registered at Bombay, bearing Registration No. **KRL-1/14997/2021** the Collector of General Stamp Office, Mumbai under 32 (1) of Bombay Stamp Act, 1976 (MAH. XXVII) transferred, conveyed, sold assigned unto the society consisting of Building Structure of Bldg. No. **81**, standing on the above referred Plot situated at **Kannamwar Nagar Adishakti C H S Ltd; Kannamwar Nagar, Vikhroli – (East), Mumbai – 400083** of Village – Hariyali known as **"KANNAMWAR NAGAR ADISHAKTI C H S LTD;"** for **32** members for **Rs. 9,600/- (Rupees Nine Thousand and Six Hundred Only)** exclusive Price as mentioned in the index II / Suchi Kramank 2 and then **"KANNAMWAR NAGAR ADISHAKTI C H S LTD;"** Became owner of the said Residential Building and the Land was leased as per an Indenture of Lease dated - **28th September, 2021** bearing Registration Serial No.- **KRL-1/14993/2021**.



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4. WHEREAS “**KANNAMWAR NAGAR ADISHAKTI C H S LTD;**” Leasehold owner of the said land and owner of the said building consisting of **32** residential tenements having plot area admeasuring about **1058.04 Sq. Mtrs. (Lease area 530.98 Sq. Mtrs. plus tit bit land area 527.06 Sq. Mtrs.)** In the above premise, the society is leasehold owner of the said land. The owner of the said structure consisting of 32 residential flat having plot area as per Demarcation admeasuring **1058.04 Sq. Mtrs. (Lease area 530.98 Sq. Mtrs. plus tit bit land area 527.06 Sq. Mtrs.)** to avail benefits of balance F.S.I. available with MHADA, on society plot and also the society members were desirous of having additions to their existing tenements by using the benefits of MHADA F.S.I. and hence Resolution was passed in Extra Ordinary General Body Meeting held on **21/10/2018** and decided to do extensions to their existing tenement and appointed **M/s. ADITYARAJ BUILDERS AND PROMOTERS** for reconstruction and redevelopment of the said Property through the Developers herein.
5. As the said tenements were in quite dilapidated condition and unfit for human habitation, after following due legal procedure the said society granted unto the **M/s. ADITYARAJ BUILDERS AND PROMOTERS** having address at **Purnima Pride, Building No. 03, Flat No. 101 and 102, Tagore Nagar, Vikhroli – (East), Mumbai – 400083** of Village – Hariyali and all the redevelopment and reconstruction rights of the said Property vide Development Agreement (DA) dated **22/11/2021** and registered with the concerned sub-register of Assurance at Kurla under Document Registration No. **KRL-1/17943/2021** on the terms and condition as therein contained and

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Power of Attorney (POA) dated **22/11/2021** bearing Document Registration Serial No. **KRL-1/17944/2021** and thereby transferred all Development rights, title, interest of the said plot to **M/s. ADITYARAJ BUILDERS AND PROMOTERS.**

Confirm and Verified Documents as under -

- Society Registration Certificate No. **MUM/MHADB/HSG/(TC)/ 12525/ 2005** dated **25th May, 2005.**
 - Property Card / Extract of Land Survey No. **113(Part)**, City Survey No. **356(Part)** which is showing land property in the name of Maharashtra Housing and Area Development Board.
6. Copy of minutes and resolution passed by "**KANNAMWAR NAGAR ADISHAKTI C H S LTD;**" in favour of **M/s. ADITYARAJ BUILDERS AND PROMOTERS,** for Development of **Building No. 81** of **Kannamwar Nagar Adishakti C H S Ltd;** **Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083.**
7. In view of the above said records and searches the title of "**KANNAMWAR NAGAR ADISHAKTI C H S LTD;**" In respect of the above said MHADA allotted Property is clear and marketable and is free from all encumbrance of whatsoever nature.
8. I have perused the relevant documents that have been provided to me and am of the opinion that the title is clear of "**KANNAMWAR NAGAR ADISHAKTI C H S LTD;**" in respect of the residential plot situated at **Building No. 81** bearing Survey No. **113(Part)**, City Survey No. **356(Part)**, admeasuring area about **1058.04 Sq. Mtrs (Lease area 530.98 Sq. Mtrs. plus tit bit land area**

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527.06 Sq. Mtrs.) part layout allotted by MHADA at Building No. 81, Kannamwar Nagar Adishakti C H S Ltd; Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083 together with the building structure standing thereon comprising the Ground + 3 Floors situated at Building No. 81, Kannamwar Nagar Adishakti C H S Ltd; Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083 and whereas Maharashtra Housing and Area Development Authority (MHADA) has Surveyed and demarcated the said Plot.

9. **Description of the Property:** Leasehold Residential Plot situated at Building No. 81, bearing Survey No. 113(Part), City Survey No. 356(Part), admeasuring area about 1058.04 Sq. Mtrs. (Lease area 530.98 Sq. Mtrs. plus tit bit land area 527.06 Sq. Mtrs.) part layout allotted by MHADA at Building No. 81, Kannamwar Nagar Adishakti C H S Ltd; Kannamwar Nagar, Village - Hariyali, Vikhroli – (East), Mumbai – 400083 together with the building structure standing thereon comprising of Ground + Three upper Floors situated at Building No. 81, "Kannamwar Nagar Adishakti C H S Ltd;" Kannamwar Nagar, Village Hariyali, Vikhroli – (East), Mumbai – 400083, Registration District and Sub – District of Mumbai Suburban, "The said Property" for last 30 years and have found that the title of the plot leased by M.H.A.D.A., a statutory corporation constituted under the Maharashtra Housing and Area Development Act, 1976 (Maharashtra XXVIII of 1977), are clear and marketable and are free from all encumbrances of whatsoever nature. The schedule plot is bounded as under:-

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ON OR TOWARDS THE NORTH : **18.30 METERS WIDE ROAD**
ON OR TOWARDS THE SOUTH : **MUM. PRIMARY SCHOOL**
ON OR TOWARDS THE EAST : **BUILDING NO 82 AND 83**
ON OR TOWARDS THE WEST : **18.30 WIDE ROAD BUILDING 138**

10. The documents of Allotment of Plot: Search Report for 30 years dated **12th April, 2022** by Search Clerk, **Mr. Swapnil More.**

Development Agreement (DA) dated **22/11/2021** Registered at the Sub-Registrar of Assurances, Kurla bearing Document Registration Serial No. **KRL-1/17943/2021** and Registered Power of Attorney (POA) dated **22/11/2021** at the Sub-Registrar of Assurances, Kurla bearing Document Registration Serial No. - **KRL-1/17944/2021.**

11. 7/12 extract or Property Registration Card issued by City Survey officer, Vikhroli reflects the name of Maharashtra Griha Nirman Bhavan.

12. Search report for 30 years from 1993 till 2022.

2/- On perusal of the abovementioned documents and all other relevant documents relating to the title of the said property, I am of the opinion that the title of the Developer, **M/s. ADITYARAJ BUILDERS AND PROMOTERS**, is clear, marketable and without any encumbrances vide Development Agreement (DA) registered between [1] **KANNAMWAR NAGAR ADISHAKTI C H S LTD;** [2] **M/S. ADITYARAJ BUILDERS AND PROMOTERS** AND [3] **MEMBERS OF KANNAMWAR NAGAR ADISHAKTI C H S LTD** Registered at Kurla - 1 vide Document Registration Serial No. **KRL-1/17943/2021** dated - **22/11/2021** and

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Registered Power of Attorney (POA) dated **22/11/2021** at Kurla – 1 vide Document
Registration Serial No. - **KRL-1/17944/2021.**

Owner of the land –

Maharashtra Griha Nirman Mandal, Mumbai Survey No. **113(Part)**, City Survey
No. **356(Part)**, (As per 7/12 - Property card).

Owner of the Building structure –

“**KANNAMWAR NAGAR ADISHAKTI C H S LTD;**” vide Deed of Sale in the year
2021 from Maharashtra Housing and Area Development Board, Mumbai (As per
Search Report dated **12th April, 2022** by Search Clerk, **Mr. Swapnil More**).

3/- The report reflecting the flow of the title of the Owner and Developer for
the said property is enclosed herewith as **Annexure – “A”**.

Encl: Annexure – “A”.

Date: 13/04/2022

Sandesh D. Jadhav

(Adv. High Court, Bombay)

SANDESH D. JADHAV
B. Com., LL.B.
ADVOCATE HIGH COURT,
40/23, Navjeevan Nagar, Tagore Nagar, Gr. No. 3, VIKHHOLI (E)
Mumbai - 400 083